

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

THOMAS A. COLTHURST (CABN 99493)  
Assistant United States Attorney

150 Almaden Boulevard, Suite 900  
San Jose, California 95113  
Telephone: (408)-535-5065  
Fax: (408)-535-5066  
E-Mail: tom.colthurst@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

|                           |   |                         |
|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, | ) | No. 10-CR-00824-DLJ     |
|                           | ) |                         |
| Plaintiff,                | ) |                         |
|                           | ) |                         |
| v.                        | ) | STIPULATION AND ORDER   |
|                           | ) | CONTINUING HEARING DATE |
|                           | ) |                         |
| ANGEL TOPETE,             | ) |                         |
|                           | ) |                         |
| Defendant.                | ) |                         |
|                           | ) |                         |

The defendant ANGEL TOPETE, represented by Peter A. Leeming, Esq., and the government, represented by Thomas A. Colthurst, Assistant United States Attorney, respectfully request that the sentencing hearing currently scheduled for October 18, 2011, be continued to January 24, 2012.

On August 2, 2011, ANGEL TOPETE pleaded guilty to a two-count Superseding Information in the above-captioned matter charging him with (1) use of communication facility in causing or facilitating the commission of a felony under the Controlled Substances Act, in violation of 21 U.S.C. § 843(b), and (2) structuring currency transactions for

1 the purpose of evading reporting requirements, in violation of 31 U.S.C. § 5324(a)(3). He has  
2 been released and is currently on bond.

3 The parties are requesting that his sentencing hearing be reset to January 24, 2012.

4 No other defendants are affected by this request.

5 SO STIPULATED:

6  
7 Dated: October 4, 2011

8 /S/  
Thomas A. Colthurst  
Assistant United States Attorney

9  
10 Dated: October 4, 2011

11 /S/  
Peter A. Leeming, Esq.  
Attorney for Defendant

12  
13 Accordingly, for good cause shown, the Court HEREBY ORDERS that the sentencing  
14 hearing for *United States v. Angel Topete*, scheduled for October 18, 2011, is continued to  
15 January 24, 2012, at 10:00 a.m.

16  
17  
18 DATED: October 11, 2011

19   
THE HONORABLE D. LOWELL JENSEN  
United States District Judge